

PATENT APPLICATION DECLARATION

(Attorney's Docket No.: 2900.006US0)

COPY

Each of the Applicants named below hereby declares as follows:

1. My residence, post office address and country of citizenship given below are true and correct.

2. I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought in the patent application entitled "INHIBITION OF ABNORMAL CELL GROWTH WITH CORTICOTROPIN-RELEASING HORMONE ANALOGS," Serial No. 09/400,716, filed September 21, 1999, and I have reviewed and understand the contents of the specification, including its claims.

3. I acknowledge my duty to disclose to the Office all information known to me to be material to patentability of this application, in accordance with 37 C.F.R. Section 1.56, which is defined on the attached page.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: Nov. 23, 1999

Edward T. Wei

Edward T. Wei

Residence and Post Office Address: 480 Grizzly Peak Boulevard
Berkeley, California 94708
(Citizenship: U.S.A.)

Date: 12/2/99

Andrzej T. Slominski

Andrzej T. Slominski

Residence and Post Office Address: 2S554 Danbury Drive,
Glen Ellyn, Illinois 60137
(Citizenship: U.S.A.)

Section 1.56 Duty to Disclose Information Material to Patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:) Examiner: Robinson, P.
Wang <i>et al.</i>) Group Art Unit: 1653
For: INHIBITION OF ABNORMAL CELL) Customer Number: 25213
GROWTH WITH CORTICOTROPIN-)
RELEASING HORMONE ANALOGS)
Serial No.: 09/400,716) <u>POWER OF ATTORNEY</u>
Filed: September 21, 1999) <u>AND REVOCATION OF</u>
Docket No.: 23855-0005) <u>PRIOR POWERS</u>

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

As Assignee of an undivided portion of the entire interest in and under the invention stemming from the contribution of co-inventor Edward T. Wei as described in the above-identified patent application, all powers of attorney previously given are hereby revoked and the following attorneys are hereby appointed to prosecute and transact all business in the Patent and Trademark Office in connection with the above-identified application.

WILLIAM B. ANDERSON, Reg. No. 41,585
Y. PING CHOW, Reg. No. 30,740
JAMES ALLAN FOX, Reg. No. 38,455
DEREK P. FREYBERG, Reg. No. 29,250
ANNA GIL, Reg. No. 46,726
MARINA HEUSCH, Reg. No. 47,647
ROSEMARIE JONES, Reg. No. 46,253
WALTER KURZ, Reg. No. 37,373
EDWARD J. LYNCH, Reg. No. 24,422
PRISCILLA MARK, Reg. No. 41,970
WILLIAM SCHMONSEES, Reg. No. 31,796
SOODABEH TRONSON, Reg. No. 41,354
HERWIG von MORZE, Reg. No. 29,484
of the firm

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(650) 324-7000

Address all correspondence and direct all telephone calls to:

Derek P. Freyberg
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Direct Dial: (650) 324-7014

The Assignment for the above application was recorded at Reel/Frame 011123/0493. The Assignment document has been reviewed and I hereby certify on behalf of the present Assignee that, to the best of Assignee's knowledge and belief, title is in the Assignee.

Assignee: The Regents of the University of California

Signature: 

Name: Mr. William Hoskins

Title: Director
University of California Berkeley
Office of Technology Licensing

Date: MAY 18 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: INHIBITION OF ABNORMAL CELL) Customer Number: 25213
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) <u>PRIOR POWERS</u>
Docket No.: 23855-0005)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

As Assignee of an undivided portion of the entire interest in and under the invention stemming from the contribution of co-inventor Andrzej T. Slominski as described in the above-identified patent application, all powers of attorney previously given are hereby revoked and the following attorneys are hereby appointed to prosecute and transact all business in the Patent and Trademark Office in connection with the above-identified application.

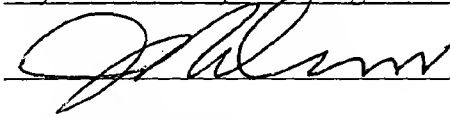
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Assignee: Loyola University of Chicago
Signature: 
Name: Dr. John A. Robinson
Title: Associate Dean for Research
Loyola University Medical Center
Date: 5/22/01.

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